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Dated: October 1, 2008

Signature: /Aaron M. Wilkerson/
(Aaron M. Wilkerson)

Docket No.: 027141.0112C3US
(Formerly High Yield Theaflavin)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jifu Zhao et al.

Applicant: Applied Food Sciences, Inc.

Application No.: 10/716,168

Confirmation No.: 3876

Filed: November 18, 2003

Art Unit: 1655

For: HIGH YIELD PROCESS FOR PRODUCING
THEAFLAVINS AND PRODUCTS OF SUCH
PROCESS

Examiner: C. R. Tate

AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

In response to the Office Action dated September 2, 2008, please amend the above-identified U.S. patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.